

Mass Layoff Notification

*As of January 1, 2006, employers are required
to report layoffs of 25 or more if result of vacation or holiday shutdown or company closure.*

Effective January 1, 2006, employers are required to report to the NH Dept. of Employment Security layoffs of 25 or more individuals in the same calendar week, if the layoff will last seven days or more. This requirement is the result of RSA 282-A:45-a. Emp Rule 302.13 clarifies the statute. At the time of printing of this article Emp Rule 302.13 was an interim rule.

If the layoff is due to a vacation or holiday shutdown, the employer must report it to the Department within seven business days following the end of the calendar week in which the layoff occurs. If the layoff is because of a company closure, it must be reported within three business days following the end of the calendar week the layoff occurs.

An Excel form is available on our Web Site at <http://nhes.state.nh.us> under "Employer" information on the right side under, "Unemployment Compensation and Taxes". Click on "Mass Layoff" or go to the flashing star on the top of our Web Site and click on the 6th entry down, "Mass Layoff": <http://www.nhes.state.nh.us/contact/contact.htm>. We are in the process of updating our Web Site, the new icon for the Mass Layoff Notice will be an envelope icon. Employers can email the information to us at that link and attach the Excel form, or FAX: 603-665-1520.

The information requested includes: employer's name; including DBA; phone number; employer's account number; physical location(s); mailing address; reason for the layoff; the calendar week in which the layoff has occurred or is expected to occur; and the total number of individuals laid off or expected to be laid off. In addition, for each individual laid off: first and last name; the individual's social security number; the last day on which the individual performed services; whether the employer expects the layoff to be permanent or temporary; anticipated reemployment date, if any; and the amount of payments made or expected to be made for wages during and after the calendar week in which the individual last performed services.

The federal government through the Department of Labor requires a separate notice to be filed regarding layoffs of 100 workers or more, called the Worker Adjustment and Retraining Notification Act (WARN Notice). Please visit this link for more information: <http://www.dol.gov/compliance/guide/layoffs.htm>